

# FWP Commission Agenda Item Cover Sheet

**Meeting Date:** January 13, 2011

**Agenda Item:** Church Slough Boating Use Regulation Petition

**Action Needed:** Tentative

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## **Background**

Kerr Dam regulates the upper 10 feet of Flathead Lake and subsequently backs water 22 miles up the Flathead River at full pool. Those 22 miles of river are abutted by private residences and agricultural lands. The river is popular for motorized and nonmotorized boating, waterskiing, fishing, bird watching, and waterfowl hunting. Surveys show boating use has quadrupled in the last 16 years. The lower river is abutted by seven major sloughs and several minor sloughs. The sloughs are old river oxbows and range from 600-800 feet wide. Church Slough is 195 acres, is about 12 miles upstream of Flathead Lake and Sportsmans Bridge FAS, and supports warm and coldwater fish. Church Slough is one of the first sloughs to ice out in spring and provides resting habitat for thousands of migrating waterfowl. Church Slough can be accessed from the Flathead River and private sites. Flathead County built a boat ramp on the slough but it is under a horsepower restriction due to a lawsuit. A landowner has filed a complaint against Flathead County and FWP regarding construction of the public boat ramp. Flathead Wildlife, Inc. filed a petition to close the entire Church Slough to boating from March 1 to April 10 to protect migrating waterfowl and to make the slough No-Wake from April 11 through Feb. 28 to decrease bank erosion and boating hazards and to put all boaters on an equal basis.

## **Public Involvement Process & Results**

Flathead County created a Flathead River Commission. This petition and various concerns over bank damage due to boat wakes and subsequent controls have been discussed. The commission is reviewing studies on natural and man-made erosion but results may be years away. Flathead County Parks Department has had several meetings on boat use in Church Slough. The Region 1 Citizen Advisory Committee reviewed this petition and recommended that the FWP Commission tentatively adopt the seasonal boating closure and the no-wake rule for the rest of year.

## **Alternatives and Analysis**

- 1) No Action. In some years anglers in carry-on boats will displace spring migrating waterfowl to less desirable habitat. Bank erosion will continue. The County boat ramp will remain under differential boat use regulations. Boaters will continue to access the slough from the river.
- 2) Tentatively adopt seasonal boating closure from March 1 to April 10. Tentatively adopt No-Wake Boating Rule for the remainder of year and direct FWP to conduct an environmental assessment and public outreach to better define problems and solutions. Bank erosion would be reduced.

## **Agency Recommendation & Rationale**

Adopt tentative seasonal boat closure and No-wake boating rule for Church Slough from April 11 through Feb. 28 and direct FWP to complete EA and public outreach.

## **Proposed Motion**

I move a seasonal boating closure from March 1 to April 10 and No-Wake Boating Rule from April 11 through February 28 be tentatively adopted for Church Slough and that FWP complete an environmental assessment and conduct public outreach on the proposal.